

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-2154

United States of America,

Appellee,

v.

Dana Enoch Kidd, Jr.,
also known as Bryan Clinton Cobb,

Appellant.

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Appeal from the United States
District Court for the
Western District of Missouri.

[UNPUBLISHED]

Submitted: August 4, 2006
Filed: August 10, 2006

Before RILEY, COLLOTON, and GRUENDER, Circuit Judges.

PER CURIAM.

A jury found Dana Enoch Kidd, Jr. (Kidd) guilty of conspiring to distribute 500 grams or more of cocaine, in violation of 21 U.S.C. § 846, and possessing with intent to distribute 500 grams or more of cocaine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1). The district court¹ sentenced him to 120 months' imprisonment and 8 years' supervised release. On appeal, his counsel has filed a brief under Anders v.

¹The Honorable Ortrie D. Smith, United States District Judge for the Western District of Missouri.

California, 386 U.S. 738 (1967), and moved to withdraw, and Kidd has filed pro se supplemental briefs.

Counsel suggests that there are no non-frivolous issues for appeal. After reviewing the record independently under Penson v. Ohio, 488 U.S. 75 (1988), we agree. We have given careful consideration to the numerous arguments Kidd presents in his three pro se supplemental briefs. We conclude the eleven claims which Kidd properly raised on direct appeal are without merit. Kidd's claims of ineffective assistance of counsel should be presented (if at all) in a separate 28 U.S.C. § 2255 motion, thus we deny without prejudice Kidd's ineffective assistance of counsel claim. See United States v. Ramirez-Hernandez, 449 F.3d 824, 827 (8th Cir. 2006).

Accordingly, we affirm the judgment of the district court, and we grant counsel's motion to withdraw.
